

The "Lack" that I believe in is that which comes with work. And no one ever finds it. Who's content to wish and shrink. The man the world calls "lucky" will tell you, every one. That Success comes, not by wishing. But by hard work, bravely done. —Illustrated Miller.

THE SALT LAKE TRIBUNE

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SALT LAKE CITY, UTAH, FRIDAY, MAY 7, 1909

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Weather for Friday.
Fair and warmer.
The Metals
Silver, 53 1/2c per ounce.
Copper (cash), 17 1/2c per pound.
Lead, 14.20 per 100 pounds.

CLAIMS ONCE MORE BACKS ADRICH BILL

Predicts That the Time Will Come When Millions of Angry Voices Will Be Raised.

REDUCTION IN RATES DEMANDED BY PEOPLE

CAMPAIGN WILL BEGIN THE MOMENT EXTRA SESSION OF CONGRESS ADJOURNS.

Washington, May 6.—But small progress was made in the consideration of the tariff bill by the senate today, the lead schedule being under discussion.

Senator Bristow made a strong fight against increases over the duties provided in the house on the ground that such increases would unnecessarily increase the cost of goods, which the farmers use extensively.

During the discussion Senators Beveridge and Gallinger engaged in a sharp colloquy, during which Mr. Gallinger accused the Indiana senator of "advertising his own interests."

Senator Cummins addressed the senate in favor of the lower duties, especially in the iron and steel schedules. He declared that the people would take matters in their own hands if the law did not check monopolies.

Washington, May 6.—Predicting that a failure to pass a tariff bill providing for lower duties on imports would provide a political contest for another revision of the tariff, Senator Cummins today delivered a notable speech in the senate.

"The bill now before us," said Mr. Cummins, "will not be accepted by those who have favored a revision of the tariff as either a fulfillment of the party pledge or as a concession of the tariff committee. If this bill becomes a law, I predict that a campaign for lower duties will begin the moment the extraordinary session of congress adjourns, and that the campaign will continue until the judgment entered in the court of public conscience is also entered in the journals of congress."

It gives me no pleasure to utter this prophecy, for I have earnestly hoped the revision now in progress would end the dispute for years to come, and that the business of the country would enjoy the peace and tranquillity which is impossible during the existence of a movement materially to change duties upon imports.

"I have heard it said over and over since we began this discussion, not, of course, in public debate, but in private conversation, that there are but few interested in the reduction of duties. I know that the voices of those who are clamoring for an increase of custom house taxation are more distinctly heard in the corridors and committee rooms, but still come a time presently when the clamor of the millions who want relief will sound like the roar of a thousand Niagara's from one ocean to the other."

Will Atone for Mistake.

Mr. Cummins said he had heard it many times that the people who were insisting on tariff revision did not know whether duties were too high or too low.

"The skepticism of the judgment of the common man is a fundamental principle, and always atoned for by skepticism and ashes."

Continuing, Mr. Cummins said: "The last administration will be remembered so long as the history of our country is preserved for its victories in the struggle for rate regulation and for corporate fair dealing."

"The work has just begun, and I sincerely hope the present administration will be no less distinguished than the last in its energy in dealing with these perplexing problems. One part, however, of the program was assigned by common consent to this administration, and its conspicuous leader assumed without hesitation the task of tariff revision."

People Know What They Want.

"The people know what they want with respect to revision, just as we as lawmakers know what they want with respect to railways and to industrial combinations, and their intelligent, educated, patriotic instinct is just as certain with respect to the tariff as it is with respect to transportation of monopolies. If we fail now substantially to reduce the duties upon the important schedules, we but postpone the just."

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THREE-CENT RATE LAW CAUSES THE TROUBLE

Washington, May 6.—Formal charges of impeachment against Federal Judges Phillips and McPherson will be filed by Representative Murphy of Missouri, who made announcement of that fact immediately after the house adjourned today.

THREE-CENT RATE LAW CAUSES THE TROUBLE

TEMPORARY INJUNCTION BY ONE JURIST CONTINUED BY THE OTHER.

Incensed over a telegram to Attorney General Wickersham by Frank Hagerman, attorney for eighteen railroads, in which Mr. Hagerman characterized Mr. Murphy's resolution of inquiry into the official conduct of the two judges as "an outrageous abuse of the right of representation," Mr. Murphy today held the attention of the house with a repetition of the charges which he had made in his original resolution.

His colleague, Mr. Rucker, corroborated all that he said in denunciation of the action of the two judges in connection with Missouri's 2-cent passenger rate law and the maximum freight law. Incidentally, Mr. Rucker remarked that Judge Phillips ought to have been impeached twenty years ago.

Question of Privilege.

Mr. Murphy brought the matter up as a question of personal privilege. He had read some newspaper dispatches to the effect that Frank Hagerman, attorney for eighteen railroads, had telegraphed the attorney general of the United States, alleging that the charges in the Murphy resolution were "an outrageous abuse of the right of representation by one who has no knowledge of the facts."

Mr. Clayton of Alabama, a member of the judiciary committee, objected, saying the argument was not one of personal privilege.

Speaker Cannon ruled that Mr. Murphy was within his rights, and could continue, but he had not proceeded far when Mr. Henry of Texas, another member of the judiciary committee, stopped him by an inquiry as to whether he did not intend formally to bring in charges of impeachment. The Missouri member, however, did not give a direct answer, but continued his recital of the charges contained in his resolution. He called on Mr. Rucker, his colleague, to substantiate what he was saying.

Mr. Rucker did so, and declared that Judge Phillips should have been impeached twenty years ago.

Several times Mr. Payne, the majority leader, objected, saying that Mr. Murphy could not yield for debate. Later he again objected on the ground that Mr. Murphy was traveling outside the issue raised by the Hagerman telegram and the preamble of the resolution.

Again in passing on the resolution, Speaker Cannon ruled in favor of Mr. Murphy, remarking that "the telegram is pretty broad."

Continuing, Mr. Murphy denied that the state of Missouri had been accorded every courtesy in the rate cases as was stated in Mr. Hagerman's telegram. The state, he declared, had no knowledge of notice whatever of the first injunction in those cases.

"I am asking the congress of the United States," he said, "to give back to us that government which you handed to us when you admitted us as a state in the Union by requiring the federal judiciary in the western district of Missouri to proceed along orderly and decent lines in the execution of the law." The house then adjourned and immediately thereafter Mr. Murphy made members of the judiciary committee that he would at once present formal charges of impeachment against the two judges.

INJUNCTION CONTINUED.

Judge Smith McPherson Blocks the State Courts.

Kansas City, Mo., May 6.—Judge Smith McPherson in the federal court here today continued in force the temporary injunction recently granted by Judge John F. Phillips restraining Siebert Jones, circuit attorney of St. Louis, from prosecuting the attorney for him in the circuit court of that city, seeking to restrain the railroads of Missouri from charging a 3-cent passenger rate.

No other state officers are included in the injunctive order, which is to remain in force until the case is decided.

Continued on Page 2.



Uncle Sam—"I Say, Andy, Do They Mean This, or Just Simply Fooling?"

COMMISSION TO BE SET UP

Attorney General Wickersham Turns Over Utah Petition and Complaint.

Washington, May 6.—Attorney General Wickersham has referred to the interstate commerce commission the petition and complaint of business men and commercial organizations of Utah alleging unjust and discriminatory freight rates by the principal railroad companies in that section.

In his letter transmitting the case to the commission, the attorney general says: "Upon careful examination of the subject it seems clear that the most direct remedy is a formal proceeding by your commission. This appears further to be the better course, in view of the supreme court's decision in the Abilene cotton case. I therefore transmit the papers and the papers submitted therewith, suggesting that the complaint be regarded as formally presented to the commission by the petitioners, and that such action be taken in the commercial agreement as will secure an early hearing and determination."

"The department of justice will be glad to co-operate with your commission in any way desired."

COMING TARIFF WAR.

Germany Also in the Power of Protected Interests.

Berlin, May 6.—An extraordinarily difficult situation for Germany has been caused by the announcement of the intention of the United States to terminate the commercial agreement, according to the Tagblatt.

"Germany must again struggle for the advantages secured by the provisional agreement," says the Tagblatt. "The new American tariff is in many points explicitly directed against German imports and the concessions that Germany is able to offer so as to set aside this protective tariff will probably be insufficient. Trade and commerce must for the moment pay the agrarian minority's bid."

INDIANA ATTORNEY RAISED NEW QUESTION

Washington, May 6.—To require Secretary Knox to show cause why he should not be removed from office on constitutional grounds, is the object of a petition in quo warranto received here today by Clerk John R. Young of the District of Columbia supreme court, from C. W. Caldwell, a Columbus, Ind., attorney.

The petition, which is designed to raise a new form of controversy as to Mr. Knox's eligibility to a cabinet office, sets forth the action of congress in reference to the removal of the constitutional bar raised against Mr. Knox when he was nominated.

The petition was not in proper form, and Clerk Young returned the papers to the attorney, calling attention to the code governing quo warranto proceedings.

FIRST NUMBER OF NEW MAGAZINE PRINTED

Buffalo, May 6.—Chairman Norman E. Mack of the Democratic national committee issued the first number of his new magazine, the National Monthly Review, today.

The first copies of the magazine were mailed, with Mr. Mack's compliments, to Mrs. Grover Cleveland, Mrs. William Jennings Bryan and Mrs. Alton B. Parker of Esopus.

Among the contributors are Representative Champ Clark, Governor Marshall of Indiana, Former Senator Patterson of Colorado, Alton B. Parker of New York, Representative James T. Lloyd, Governor Harmon of Ohio, Senator-elect John Sharp Williams of Mississippi, and Senator Chamberlain of Oregon.

REMAINS IN NEW MEXICO

James A. Patten Apparently Takes Little Interest in Ups and Downs of the Wheat Market.

Chicago, May 6.—Reports that James A. Patten, the bull leader in wheat, had returned to his home after his vacation in the west were denied today by his brothers, George and Harry Patten.

"Mr. Patten has not returned," he has no private wire to the Bartlett ranch, as reported, and we haven't heard a word from him for three days," is the way George Patten entered his resignation of the story.

Trinidad, Colo., May 6.—James A. Patten, the Chicago wheat broker, is still at the ranch of his partner, W. H. Bartlett, at Northern Park, N. M., sixty miles southwest of Trinidad. Apparently he has no present intention of leaving the "happy hunting grounds" he has found in the forests and mountains of northern New Mexico, and according to the information over a long distance telephone, Mr. Patten is having the vacation of his life, spending nearly all his time fishing, hunting and riding.

Mr. Patten personally refused to respond to a long distance telephone call. When the call was answered and information given, the caller asked if Mr. Patten was at home, and the answer was: "He is not here."

Mr. Patten has nothing to say was the answer given. He refused to say how long he intended staying in the mountains.

Wife of Harry K. Thaw Sentenced to Jail for Refusing to Pay Fine for Contempt of Court.

New York, May 6.—Evelyn Nesbit Thaw, who gained notoriety when her husband, Harry K. Thaw, shot and killed Stanford White, may herself soon have to go to jail.

An order directing the sheriff to arrest her for contempt of court, in failing to pay a fine of \$250 imposed last week, was issued today by Judge Charles S. Whitford. The order directs that she shall be kept in close confinement until the settlement of her account.

The fine was imposed upon Mrs. Thaw for her failure to appear in supplementary proceedings on a judgment of \$250 obtained against her by Elsie Hartwig, a milliner.

SHAW GETS HIS BOY.

Los Angeles Judge Declines Against Elopement Mother.

Santa Barbara, Cal., May 6.—Eldridge Shaw, the lad brought out here by his mother, when she came to California in company with her family chauffeur, Keno Marble, was ordered returned to the custody of his father, James F. Shaw of Boston, a Massachusetts state senator, by Superior Judge Crow today. The boy will go back to Boston under the guardianship of his grandfather, H. Fisher Eldridge, who arrived here last night from New York.

This outcome is the result of a compromise which the attorneys, representing father and mother, admit was effected. Mr. Eldridge testified in court today. The story he told caused Judge Crow to hesitate before ordering the boy back to Boston.

"In case the father is not able properly to care for the boy, you are able to do so," asked the court.

"That I am," Mr. Eldridge replied, and he added that he loved the boy and would make certain he was properly cared for.

DEFECT IN LAW MAY BE CURED

Bills Introduced in Senate and House Reviving Commodities Clause.

Washington, May 6.—Close upon the decision of the supreme court of the United States in the "commodities clause" case, Senator Bailey today introduced a bill amending the interstate commerce act so as to apply the provisions for the commodities clause to any "corporation or joint stock company which owns or controls, directly or indirectly," such subsidiary corporations.

In presenting the bill, Mr. Bailey said he had not read the opinion of the court in this case, but he had read enough to see that it "sustained the principles upon which the commodities clause was based," and the decision showed that the act did not cover all those cases that he knew the author intended it to cover.

Mr. Culberson saying he had the commodities clause decision, and that he intended to have it printed as a document, Mr. Bailey withdrew his bill, so that before introducing it he might read the full opinion.

Representative Wanger of Pennsylvania today presented a bill in the house making it illegal for a railroad company to transport a commodity for any corporation in which it holds stock or of which it is a creditor.

NEW RAILWAY PROJECT.

Incorporation of the Montana, Idaho & Pacific Road.

Helena, Mont., May 6.—Montana is to have a new railway, according to articles of incorporation filed with the secretary of state. It is to be known as the Montana, Idaho & Pacific, and because of its proposed western connection, it is supposed to be a Harriman property.

The company has an authorized capital stock of \$16,000,000, for which a filing fee of \$1,500 was paid by J. L. Wines of Butte, the road will run from Lapwai Junction, where it connects with the Oregon Railroad and Navigation company's line, through the Clearwater, crossing into Montana by way of Lolo Pass, thence through Missoula, Granite, Fossil and Deer Lodge, coming to Butte. It will have a total length of 250 miles.

The incorporators are J. H. Richards of Boise, Ida., C. E. Chismann of Boise, and James J. Wilson of Portland, Ore.

RAILING GAVE WAY.

Accident in Armory at Seattle and Thirty Persons Injured.

Seattle, Wash., May 6.—Thirty persons were injured, many seriously, when a section of the railing in the east balcony at the new state armory gave way during the indoor track meet of the Seattle Athletic club tonight.

The accident occurred at the close of the meet, just as the runners in the ten-mile race were crossing the tape. The crowd which filled the balcony was pressing against the rail in its eagerness to see the finish when a section of the railing in the center of the east balcony gave way, throwing the spectators head foremost to the floor fifteen feet below.

Many were stunned by the fall and lay as if dead. Police and private ambulances were hurried into service and the injured were rushed to the various hospitals in the city.

SCALES WROTE AND OPENS FIRE

Dave Latham Flashes Weapon at Snedden Home and Resists Arrest.

FORCES ATTENTIONS ON MISS DICKSON

THREATENS TO WIPE OUT FAMILY—WANTED FOR PASSING CHECK.

After threatening to kill Mr. and Mrs. John Snedden and Miss Grace Dickson at their home, 544 Bridgeport avenue, Dave Latham, 22 years old, shot at Patrolman Nick Gulbranson and Harlow Lyons when they came to arrest him for creating a disturbance at the Snedden residence shortly before 11 o'clock last night.

Latham, who claims to be a locomotive engineer, but whom the police assert is a first-class crook and who was wanted by them on the charge of passing a forged check at the National saloon, went to the Snedden home about 9 o'clock last evening to see Miss Dickson. According to the story told by Mrs. Snedden, Latham, who was armed with a revolver, shot at the Sneddens last night, the man has been forcing his attentions upon Miss Dickson, and about week ago asked her to marry him. The young woman would not give him an answer at that time, Mrs. Snedden said, and Latham gave her until Saturday evening to make up her mind. Latham did not call, as was expected, Saturday, but put in an appearance last evening and said that he wished to talk with Miss Dickson about their marriage. When the girl refused to give him an answer last night, Latham pulled a revolver from his pocket and said: "I'll kill every one of you."

Police Are Called.

About the time that Latham was brandishing his revolver in the kitchen, Patrol Officer Tom Holt, who resides in the neighborhood, came along his way home, and noticed the trouble that was going on at the Snedden's. He telephoned to police headquarters for an officer. Patrolmen Nick Gulbranson and Harlow Lyons were sent to Bridgeport avenue to see what was the trouble.

When the policemen arrived, Gulbranson went to the front door and Lyons to the kitchen door. As Gulbranson entered the house, Latham rushed toward him and fired his revolver. Then he turned and shot at Lyons, who was just about to pass into the house through the kitchen door. The bullet aimed at Gulbranson whizzed past the officer's ear. The other shot came close to Lyons, barely missing his breast and passed through the kitchen door. After some persuasion on the part of the policemen and under cover of a revolver, Latham gave over his gun to Patrolman Lyons and allowed himself to be arrested.

A detail of policemen and detectives was sent to the scene of the shooting, and Latham was taken to the city jail and locked up. He will probably be charged with attempt at murder.

Prepared for Murder.

Latham was under the influence of liquor when he went to call on Miss Dickson last evening. He told Mr. and Mrs. Snedden and the young woman that he had made up his mind to take their lives for several days. His plans, he told them, were to shoot all three and then to turn on the police. He said that he had a revolver and was prepared for a fight. He said that he had a revolver and was prepared for a fight. He said that he had a revolver and was prepared for a fight.

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FREAK OF NATURE.

Buffalo, N. Y., May 6.—Lake Erie has been exhibiting a weird behavior, and has risen and fallen several times in a matter of hours. The water began going out of the harbor with a rush. It went down so rapidly that its boats along the shore were in danger. The river was banded hard against its docks.

ESTIMATES CUT DOWN.

Washington, May 6.—Secretary Meyer today held an extended conference with the chiefs of bureau of the navy department, going over with each of them the appropriations to be asked for the fiscal year beginning July 1, 1910. It is understood that the estimates have been cut down to about the amount appropriated for the navy for the coming fiscal year.

Prefers Young, Unmarried Jurors

Mercer, Pa., May 6.—James H. Boyle, charged with kidnapping "Billy" Whittle, was convicted today after a trial lasting a few hours. No defense was made, and the jury was out but a few minutes.

Mrs. Boyle was immediately placed on trial, charged with aiding in the kidnapping. Hardly had the jury been sworn in the woman's case, when the lawyers became engaged in an argument regarding the admission of certain testimony, and the case was adjourned until tomorrow.

Mrs. Boyle took a prominent part in the selection of her jury, prompting her attorneys in numerous cases, and showing a preference for young, unmarried jurors.

That Boyle's trial came to such an abrupt ending was due to the fact that a strong case had been made against him. Witnesses told of nearly every movement he made from the night before the abduction until his arrest in Cleveland.

When the state rested, counsel for the defense held a conference and announced that they would offer no evidence. The court at once summed up the evidence and gave the case to the jury.

The penalty is from one year to a life sentence in the penitentiary. Sentence has not yet been pronounced.

FLOOD WORKS HAMOC CITY'S WATER SYSTEM

Washout of Flume and Conduit Cuts Off Supply From Big Cottonwood.

PARLEY'S CREEK NOW A RAGING TORRENT

WORKERS ENCAMPED IN CANYON STRIVE TO AVERT DISASTER.

Flood waters rushing down Parley's creek carried out the large wooden flume confining the waters in the by-pass around the Parley's reservoir and with it a portion of the Big Cottonwood conduit, which crosses Parley's creek at right angles near this point. For several hours yesterday the city's water supply was seriously endangered and the danger is not yet past. The city's water supply comes largely from Parley's creek and Big Cottonwood. By the disaster yesterday in Parley's canyon both of these sources of supply were cut off and the only water left for the city was that coming through Emigration Canyon creek and City creek, which is comparatively small in quantity.

The water pressure in the mains was so small yesterday afternoon and evening that the upper floors of all the large buildings and apartment houses were without any water whatever, the pressure being too low to carry the water above the second floor. The fire department gauge, the normal pressure of which is 27 pounds, yesterday afternoon showed a pressure of only twenty pounds. Last evening the pressure began to rise slightly and at midnight the gauge showed 90 pounds. As soon as the flume went out and the pressure in the water mains was reduced emergency precautions were taken by the fire department. At the order of Fire Chief George A. Fitzgerald every steamer in the city was fired up and kept under a full head of steam. This makes it possible for the fire department to pump a heavy stream of water on a fire, despite the low pressure in the mains.

Crews from the waterworks and street departments of the city worked all yesterday afternoon and all night last night, and are still at work trying to restore the water supply to the city and prevent complete disaster.

Conduit is Washed Out.

The break in the flume occurred at a point below the reservoir and just above the place where the Big Cottonwood conduit crosses Parley's creek. The terrific force of the waters snapped the big timber of the wooden flume that confined the water and, rushing onward, tore out a section of the Big Cottonwood conduit, adding to the flood the waters from Big Cottonwood canyon.

Forty men are now at work putting in an emergency conduit. The work is being done in a very difficult place, and the water is so high that the men are working in a very dangerous place. The work is being done in a very difficult place, and the water is so high that the men are working in a very dangerous place.

City Engineer Kelsey, J. T. Ralston, superintendent of streets, Thomas Hobday, superintendent of waterworks, and Councilman C. E. Raybold visited the scene of the break this morning. The men are working in a very dangerous place, and the water is so high that the men are working in a very dangerous place.

Possibility of Disaster.

If no further damage is done by the flood waters at this point the damage done will be about \$15,000. The city of Salt Lake has a water supply of 100,000,000 gallons a day, and the city is not yet and with continued warm weather the prospective loss is incalculable. They hope through the work done to save the city's water supply and to restore the damaged portion of the Big Cottonwood conduit. To conserve the present water supply from Emigration canyon and City creek the sprinklers and street flushers will be taken off and residents will be asked today to cease using the water for sprinkling lawns.

The men doing the repair work on the conduit were supplied with tents, food, bedding and provisions, and are thus prepared to remain on the scene for days. The Rio Grande Railroad company has two work trains and crews at work strengthening the tracks on the Park City branch, which crosses the creek. At every point where the water is so high that the men are working in a very dangerous place.

DIED IN DEBT.

Washington, May 6.—The will of former United States Senator William M. Stewart of Nevada was filed for probate today. It discloses that he owned no real estate and had no personal property of more than \$1,500 in value. This amount is devised to his widow, Mrs. Stewart. His debts are said to aggregate \$25,000.